ILLINOIS POLLUTION CONTROL BOARD
June 8, 1989

OLD BEN COAL COMPANY,	)	
	)	
Petitioner,	)	
	)	
v.	)	PCB 89-41
	)	
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,	)	
	)	
Respondent.	)	

ORDER OF THE BOARD (by B. Forcade):

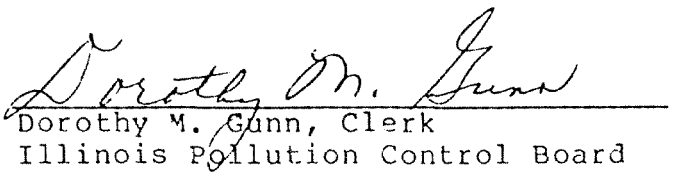
On June 6, 1989, Old Ben Coal Company ("Old Ben") filed a motion for leave to file instanter and permit record. That motion is granted.

However, as of this date, the hearing officer has not set the matter for hearing nor furnished the Board with the Hearing Officer's Scheduling Order as directed by the Board's Order of March 9, 1988.

The Board orders the hearing officer to set a hearing and if the parties fail to provide an acceptable hearing date or if after an attempt the hearing officer is unable to consult with the parties, the hearing officer shall unilaterally set a hearing date, and provide a hearing officer's scheduling order, in conformance with the schedule outlined in the Board's Order of March 9, 1989.

IT IS SO ORDERED

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 8th day of June, 1989, by a vote of 6-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board